

DISCLAIMER

This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).

PETITION OF

ADELPHIA COMMUNICATIONS CORPORATION

CASE NO. PUE-2002-00488

**For application of § 56-466.1
of the Code of Virginia to pole
attachment practices of
Northern Virginia Electric
Cooperative**

HEARING EXAMINER'S RULING

January 2, 2003

By Ruling filed on November 27, 2002, a revised hearing date and procedural schedule were established for this proceeding. On December 31, 2002, Adelphia Communications Corporation ("Adelphia") filed an Unopposed Motion for Extension of Time ("Motion") wherein counsel for Adelphia requested a three-week extension of the procedural schedule to provide the parties an opportunity to finalize the written settlement agreement. Counsel for Adelphia states that the parties seek additional time due to delays encountered in the holiday season. Counsel for Adelphia further advised that Northern Virginia Electric Cooperative ("NOVEC") does not oppose the Motion.

Good cause having been shown, I find the request for an extension should be, and is hereby, granted. Accordingly,

IT IS DIRECTED:

- (1) That a hearing is scheduled for February 18, 2003, at 10:00 a.m. for the purpose of receiving evidence on the Petition;
- (2) That the hearing in this matter, currently scheduled for January 28, 2003, is hereby canceled;
- (3) That the procedural schedule is hereby revised as stated below;
- (4) That, on or before January 24, 2003, Adelphia shall file with the Clerk of the Commission an original and fifteen (15) copies of any prefiled direct testimony and exhibits it intends to offer at the hearing. The prefiled direct testimony of Adelphia may be in the form of questions and answers, narrative statement, or any other written documents which clearly state the nature of Adelphia's claim, the specific relief sought, and the legal and factual reasons supporting the claim. In addition, on or before January 24, 2003, Adelphia shall serve a copy of its prefiled direct testimony and exhibits on NOVEC;

(5) That, on or before February 5, 2003, NOVEC shall file with the Clerk of the Commission an original and fifteen (15) copies of any testimony and exhibits it intends to present at the hearing, and shall simultaneously send a copy thereof to Adelphia; and

(6) That, on or before February 14, 2003, Adelphia shall file an original and fifteen (15) copies of any testimony and exhibits it intends to introduce in rebuttal, and simultaneously send a copy thereof to NOVEC.

Alexander F. Skirpan, Jr.
Hearing Examiner

Document Control Center is requested to send a copy of this Ruling on January 2, 2003, to: C. Meade Browder, Esquire, Office of the Attorney General, Division of Consumer Counsel, 900 E. Main St., 2nd Floor, Richmond, VA 23219; Stuart F. Feldstein, Esquire, Fleischman & Walsh, LLP, 1400 16th Street, N.W., Washington, DC 20036; Thomas B. Magee, Esquire, Martin W. Bercovici, Esquire, Luther L. Hajek, Esquire, and Douglas J. Behr, Esquire, Keller and Heckman LLP, 1001 G Street, N.W., Washington, DC 20001; Patrick A. Toulme, Assistant Vice President and Senior Corporate Counsel, Northern Virginia Electric Cooperative, 10323 Lomond Drive, Manassas, VA 20109-3113; Roger D. Netzer, Esquire, and Kevin M. Miller, Esquire, Willkie Farr & Gallagher, 1875 K Street, N.W., Washington, DC 20006-1238;